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11 Attorneys for Defendants
12 Mortgage Electronic Registration Systems, Inc.;
13 OneWest Bank, FSB; and Deutsche Bank National
14 Trust Company

15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA

17 DARRELL MCDONALD; FLORA
18 MCDONALD,

19 Plaintiffs,

20 vs.

21 RESIDENTIAL MORTGAGE
22 CAPITAL; NDEX WEST, L.L.C.;
23 MORTGAGE ELECTRONIC
24 REGISTRATION SYSTEMS, INC.
25 (MERS), a Delaware Corporation;
26 FEDERAL DEPOSIT INSURANCE
27 CORPORATION AS CONSERVATOR
28 FOR INDYMAC FEDERAL BANK,
F.S.B., a government agency;
ONEWEST BANK; DEUTSCHE
BANK NATIONAL TRUST
COMPANY and DOES 1 THROUGH
10,

Defendants.

Case No. 09-CV-1365 MMC

**NOTICE OF SETTLEMENT; ORDER
THEREON**

TO THE COURT AND COUNSEL OF RECORD:

This Notice of Settlement is to inform the Court that the parties, through the aid of the Court-appointed mediator Robin Siefkin, have reached a settlement in principle that will result in this case being dismissed. The parties are in the process

1 of preparing the necessary documentation regarding this settlement, which involves
2 a modification of the terms of the subject mortgage loan.

3 The parties respectfully request that in light of the above, the Court continue
4 all motions currently scheduled to be heard on August 28, 2009, until a date no
5 earlier than October 9, 2009.

6 This Notice of Settlement was circulated to pro se plaintiffs, counsel for the
7 defendants, and the mediator, for approval before being filed with the Court.

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9 Dated: August 19, 2009

ALLEN MATKINS LECK GAMBLE
MALLORY & NATSIS LLP

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11 By: /s/ - Andrew E. Miller

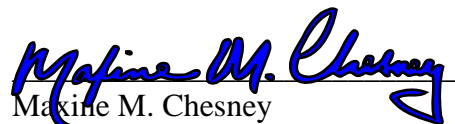
12 Andrew E. Miller
13 Attorneys for Defendants
14 Mortgage Electronic Registration
15 Systems, Inc.; OneWest Bank, FSB;
and Deutsche Bank National Trust
Company

16 ORDER

17 The hearings currently scheduled for August 28, 2009 are hereby CONTINUED to October
18 16, 2009.

19 IT IS SO ORDERED.

20 Dated: August 21, 2009

21 
22 Maxine M. Chesney
23 United States District Judge
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